

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**MIAMI VALLEY FAIR HOUSING
CENTER INC, et al.,**

Plaintiffs,

v.

**Civil Action 2:16-cv-607
Judge George C. Smith
Magistrate Judge Kimberly A. Jolson**

METRO DEVELOPMENT LLC, et al.,

Defendants.

ORDER

This matter is before the Court on Defendants Motion to Stay Discovery Pending Decision on Summary Judgment. (Doc. 68). In its September 7, 2016 Preliminary Pretrial Order, the Court stayed only expert discovery in this matter until January 31, 2017. (Doc. 28 at 2). The Court continued that stay on expert discovery for an additional thirty (30) days in its February 3, 2017 Order. (Doc. 47). Defendants now seek an extension of that stay, as well as a stay of all other discovery, until their pending Motion for Summary Judgment (Doc. 67) is decided.

As Defendants recognize in their Motion, courts “enjoy[] broad discretion in managing discovery.” *Grant v. Target Corp.*, 281 F.R.D. 299, 306 (S.D. Ohio 2012) (citing *Lavado v. Keohane*, 992 F.2d 601, 604 (6th Cir. 1993)). In their Motion, Defendants argue that using that discretion, the Court should stay discovery because “[t]his is not the first time [] that Plaintiffs have come before this Court without standing to do so, as Plaintiffs face a similar dispositive motion in the related case *Miami Valley Fair Housing Center, Inc., et al. v. Preferred Real Estate Investments, LLC, et al.*, Case No. 2:15-cv-2737 (the “Preferred Action”). (Doc. 68 at 2).

Accordingly, Defendants argue because the Court granted a similar stay in the Preferred Action, the Court should stay this case as well. (*Id.* at 2–3).

On March 8, 2017, however, the similar dispositive motion in Preferred Action was ruled on, and “[u]nder binding Sixth Circuit precedent, [the] Court [found] that MVFHC ha[d] presented facts sufficient to support a finding of organization standing at this stage of the litigation.” (Case No. 2:15-cv-2737, Doc. 83 at 14). While this Court recognizes the dispositive motion in this case differs in some, potentially material respects from the dispositive motion in the Preferred Action, the Court believes these nuances will best be explored through discovery.

For the reasons set forth above, Defendants Motion to Stay Discovery Pending Decision on Summary Judgment (Doc. 68) is **DENIED**. The parties are **DIRECTED** to meet and confer regarding a potential case schedule moving forward. The parties are then **DIRECTED** to submit that proposed schedule via email to the Court (jolson_chambers@ohsd.uscourts.gov) by March 16, 2017.

IT IS SO ORDERED.

Date: March 9, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE